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Atty Docket No. 021674-000251US

PTO FAX NO.: 1-703-872-9306

ATTENTION: Office of Petitions

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**ATTENTION: OFFICE OF PETITIONS**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

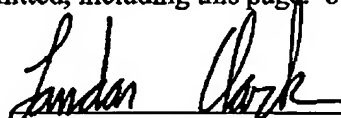
I hereby certify that the following documents in re Application of David S. Soane, Michael R. Houston, Application No. 10/083,316, filed February 25, 2002 for NEAR-NET-SHAPE POLYMERIZATION PROCESS AND MATERIALS SUITABLE FOR USE THEREWITH are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Application for Patent Term Adjustment Under 37 CFR 1.705(b)
2. Copy of return postcard dated April 5, 2004

Number of pages being transmitted, including this page: 6

Dated: March 29, 2005

  
Landon Clark

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PATENT  
Attorney Docket No.: 021674-000251US  
Client Ref. No.: ZMSI-001P4-3

TOWNSEND and TOWNSEND and CREW LLP

By: Landon Clark

Landon Clark

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David S. Soane, et al.

Application No.: 10/083,316

Filed: February 25, 2002

For: NEAR-NET-SHAPE  
POLYMERIZATION PROCESS AND  
MATERIALS SUITABLE FOR USE  
THEREWITH

Examiner: Jeffrey C. Mullis

Art Unit: 1711

**APPLICATION FOR PATENT TERM  
ADJUSTMENT UNDER  
37 C.F.R. § 1.705(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are in receipt of the *Notice of Allowance and Determination of Patent Term Adjustment under 35 U.S.C. 154(b)* mailed January 4, 2005. The Patent Office has determined that the Patent Term Adjustment to day is 197 days. In accordance with 37 C.F.R. § 1.705(b), the Applicants respectfully request reconsideration of the patent term adjustment.

**Statement Of Facts - 37 C.F.R. § 1.705(b)(2)**

**(i) Correct Patent Term Adjustment and Basis Under 37 C.F.R. §1.702**

The Applicants respectfully submit that the correct patent term adjustment is 479 days. This determination is due, in part, to the following:

David S. Soane, et al.  
 Application No.: 10/083,316  
 Page 2

PATENT

1. The U.S. Patent and Trademark Office incorrectly entered the date received of a Terminal Disclaimer as August 5, 2004. The Terminal Disclaimer was received in the U.S. Patent and Trademark Office on April 5, 2004 a copy of the return postcard with the U.S. Patent and Trademark Office's stamp is enclosed.
2. Failure of U.S. Patent and Trademark Office to Issue the patent within three years from the actual filing date of the Application, pursuant to 37 C.F.R. §1.702(b).
  - (ii) **Relevant Dates for which an Adjustment is Sought under 37 C.F.R. §1.703(a) through (e)**

Action	Date Filed / Mailed	§§1.703(a)-(e) Date	§§1.703(a)-(e) Period	Days Added to PTA
Application Filing Date	2/25/2002			
		04/25/2003	Fourteen Months from Filing Date	
First Action Under 35 USC 132 (Office Action)	10/09/2003			167
Response to Office Action	11/10/2003			
Office Action	2/25/2004			
Response to Office Action and Terminal Disclaimer	04/05/2004			
Notice of Allowance	01/04/2005			152
		02/25/2005	Three years from filing date	
Issue Fee Paid	04/04/2005			
Patent Issues	08/04/2005			160
<b>TOTAL DAYS ADDED TO PATENT TERM</b>				<b>479</b>

Assuming the Issue Fee is paid on the day that is three months from the mailing of the *Notice of Allowance* and *Determination of Patent Term Adjustment under 35 U.S.C. 154(b)*, April 4, 2005, and the patent issues not later than four months after the date on which the issue fee was paid (August 4, 2005) and all outstanding requirements were satisfied, the number of days added for the calculation of the patent term adjustment will be 479 days.

(iii) **Terminal Disclaimer**

David S. Soane, et al.  
Application No.: 10/083,316  
Page 3

PATENT

This application is a Continuation-in-Part and only the material from US Patent Nos.: 6,416,690 B1 and 6,570,714 B2 is subject to a terminal disclaimer.

**(iv) Failure to Engage in Reasonable Efforts to Conclude Processing or Examination under 37 C.F.R. §1.704**

Applicants have Engaged in Reasonable Efforts to Conclude Processing or Examination under 37 C.F.R. §1.704 and no delays were caused due to applicants.

David S. Soane, et al.  
Application No.: 10/083,316  
Page 4

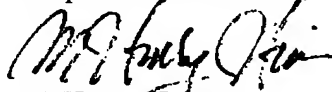
PATENT

**CONCLUSION**

The Applicants respectfully requests reconsideration of the patent term adjustment of 197 days indicated on the *Determination of Patent Term Adjustment under 35 U.S.C. 1.54(b)* to 479 days, as discussed above.

The Commissioner is hereby authorized to charge the fee of \$200.00 for filing an Application for Patent Term Adjustment as set forth in § 1.18(e), and any other fees which may be required, or credit any overpayment, to Deposit Account No. 20-1430.

Respectfully submitted,



M. Henry Hemes  
Reg. No. 28,219

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**TO THE U.S. PATENT AND TRADEMARK OFFICE:**

Please stamp the date of receipt of the following documents(s), and return this card to us.

Title of Document(s): SIDS; PTO/SB/08B; Amendment No. 2; Terminal Disclaimer;  
Fee Transmittal; Transmittal Form

Date Due:

App/n. No.: 10/083,316

Date Mailed: Apr. 2, 2004

File No.: 021674-000251US

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